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1

ZONING CHANGE REVIEW SHEET

CASE: C14-2012-0042 – 1300 West Dittmar
Road Rezoning

Z.A.P. DATE: June 5, 2012

ADDRESS: 1300 West Dittmar Road

OWNERS: Graham Mortgage Corp.
(Grant S. Morrow)

AGENT: Thrower Design
(Ron Thrower)

ZONING FROM: SF-6-CO **TO:** SF-6-CO, **AREA:** 42.029 acres
to change a condition of zoning

SUMMARY STAFF RECOMMENDATION:

The Staff recommendation is to grant the Applicant's request to remove the Conditional Overlay that limits height for a building or structure to 20 feet.

ZONING AND PLATTING COMMISSION RECOMMENDATION:

June 5, 2012:

ISSUES:

The Applicant has discussed this rezoning case with the Matthews Lane Neighborhood Association (MLNA).

DEPARTMENT COMMENTS:

The rezoning area extends between Dittmar Road on the south, and Damon Road, Albert Lane and Sherwood Road on the north, and the Missouri-Pacific railroad tracks on the west. The remainder of the former Brown School property forms the east boundary, along with manufactured homes of the Brownleaf Estates subdivision. South Boggy Creek, the Longhorn pipeline and an active natural gas pipeline extend through the southern portion of the site, at its narrowest width. The creek and pipelines present a challenge in site layout, but also provide the opportunity to cluster residential development. With the exception of the school facility, the surrounding area consists of residential uses, on lots of varying sizes.

The subject rezoning area represents a portion of the former Brown School facility (a hospital services (general) use), is undeveloped and zoned townhouse and condominium residence – conditional overlay (SF-6-CO) district by a 2005-06 case. The Conditional Overlay limits development of the property to 252 dwelling units (6 u.p.a.), establishes a height limit of 20 feet, prohibits access to Damon Road, and establishes that vehicular access to Sherwood Road shall function as a secondary access point only. A Restrictive Covenant for the conditions of the Neighborhood Traffic Analysis accompanied the rezoning to SF-6-CO.

Please refer to Exhibits A (Zoning Map), A-1 (Aerial View) and B (2006 Rezoning Ordinance).

The Applicant has requested a change to the Conditional Overlay to remove the provision which limits height of a building or structure to 20 feet. All other provisions of the Conditional Overlay would remain unchanged. The Staff is recommending the Applicant's request for the following reasons: 1) the maximum height allowed by the adjacent development reserve (DR) and all single family (SF-1 through SF-6) zoned properties is 35 feet; and 2) compatibility standards which limit placement and height of the townhouse /condominium use and its accessory structures will be applied to properties zoned or used for single family residential purposes.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	SF-6-CO	Undeveloped
<i>North</i>	DR	Single family homes; Manufactured homes
<i>South</i>	SF-4A; SF-2; P	Single family residences; City park and recreation facility
<i>East</i>	GO; MH; SF-2	Neurological treatment center; Manufactured homes; Single family residences
<i>West</i>	SF-2-CO; SF-2; SF-3; DR; W/LO-CO; LO-CO	Railroad tracks; Single family residences; Church; Undeveloped; Manufactured homes

AREA STUDY: N / A

TIA: Is not required

WATERSHED: South Boggy Creek

DESIRED DEVELOPMENT ZONE: Yes

CAPITOL VIEW CORRIDOR: No

SCENIC ROADWAY: No

NEIGHBORHOOD ORGANIZATIONS:

26 – Far South Austin Community Association
 39 – Matthews Lane Neighborhood Association
 511 – Austin Neighborhoods Council 627 – Onion Creek Homeowners Association
 658 – Texas Oaks North Neighborhood Association
 742 – Austin Independent School District
 786 – Home Builders Association of Greater Austin 1075 – League of Bicycling Voters
 1037 – Homeless Neighborhood Association
 1200 – Super Duper Neighborhood Objectors and Appealers Organization
 1224 – Austin Monorail Project 1228 – Sierra Club, Austin Regional Group
 1236 – Real Estate Council of Austin, Inc. 1340 – Austin Heritage Tree Foundation

SCHOOLS:

Casey Elementary School Bedichek Middle School Charles Akins High School

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-06-0096 – Legacy Oaks Christian School – 7915 Manchaca Rd.	DR; SF-2; SF-3 to GO-CO	To Grant GO-CO w/CO for max. 45', prohibit several uses, access to Baxter Springs Rd., 2,000 vehicle trips/day	Apvd. GO-CO as Commission rec. (7- 26-06).
C14-02-0103 – Dittmar Rezoning – 1700-1800 Blk. of Dittmar Rd.	DR to SF-3; Amended to SF- 4A	To Grant SF-4A	Approved SF-4A (11- 21-02).

RELATED CASES:

The proposed rezoning area, as well as the adjacent property to the east, was part of the Brown School facility, a hospital services (general) use, and rezoned from general office (GO) to SF-6-CO district in April 2006 (C14-05-0091 – Lelah's Crossing).

A Restrictive Covenant Amendment was considered in conjunction with the 2005 rezoning case to delete a 1985 provision that if the hospital (general) use was discontinued, then the owner would not object to a zoning rollback to the rural residence (RR) district (C14-85-055(RCA)). The Restrictive Covenant Amendment only applied to this portion of the former Brown School facility.

ABUTTING STREETS:

NAME	ROW	PAVEMENT	CLASSIFICATION
West Dittmar Road	90 feet	MAD2	Arterial (4.319)
Damon Road	50 feet	28 feet	Local
Sherwood Road	56 feet	20 feet	Local
Albert Road	50 feet	Not constructed through property	Local

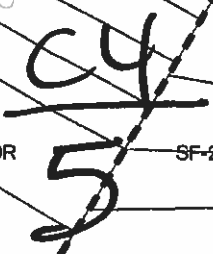
- Dittmar Road has been reconstructed (widened) from a minor 2-lane arterial, undivided road to a major 2-lane arterial, divided road, between Manchaca Road and South First Street.
- There are existing sidewalks along Dittmar Road.
- Capital Metro bus service is not available within 1/4 mile of this property.
- Dittmar Road is classified in the Bicycle Plan as a Bike Route No. 84.

CITY COUNCIL DATE: June 28, 2012**ACTION:****ORDINANCE READINGS:** 1st2nd3rd

ORDINANCE NUMBER:

CASE MANAGER: Wendy Rhoades
e-mail: wendy.rhoades@austintexas.gov

PHONE: 974-7719



1" = 400'



24 6

UPPER

MANCHACA RD

MANCHACA RD

SPRINGFIELD

BROWN SCHOOL FACILITIES

REHABILITATION CENTER

UNDEVELOPED

W DILLMAR RD

DILLMAR PARK AND RECREATION C

EXHIBIT A

NORTH

DUMMAR ROAD

C4
7

ORDINANCE NO. 20060427-045

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 1300 WEST DITTMAR ROAD FROM DEVELOPMENT RESERVE (DR) DISTRICT AND GENERAL OFFICE (GO) DISTRICT TO TOWNHOUSE AND CONDOMINIUM RESIDENCE-CONDITIONAL OVERLAY (SF-6-CO) COMBINING DISTRICT.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. The zoning map established by Section 25-2-191 of the City Code is amended to change the base district from development reserve (DR) district and general office (GO) district to townhouse and condominium residence-conditional overlay (SF-6-CO) combining district on the property described in Zoning Case No. C14-05-0091, on file at the Neighborhood Planning and Zoning Department, as follows:

A 42.029 acre tract of land, more or less, out of the William Cannon League, in Travis County, the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance (the "Property"),

locally known as 1300 West Dittmar Road, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "B".

PART 2. The Property within the boundaries of the conditional overlay combining district established by this ordinance is subject to the following conditions:

1. Development of the Property may not exceed 252 dwelling units.
2. Development of the Property may not exceed 6 dwelling units per acre.
3. The maximum height of a building or structure on the Property is 20 feet from ground level.
4. Except as provided in Subsection 5 of this Part 2, vehicular access from the Property to Damon Road and Sherwood Road is prohibited. All vehicular access to the Property shall be from other adjacent public streets or through other adjacent property.
5. Vehicular access from the Property to Sherwood Road shall function as a secondary access point only.

EXHIBIT B

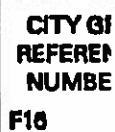
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8
6. A site plan or building permit for the Property may not be approved, released or issued, if the completed development or uses of the Property, considered cumulatively with all existing or previously authorized development and uses, generate traffic that exceeds 2,000 trips per day.

Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the townhouse and condominium residence (SF-6) base district and other applicable requirements of the City Code.

PART 3. This ordinance takes effect on May 8, 2006.

PASSED AND APPROVED

_____ April 27, 2006	§ § §	_____ Will Wynn Mayor
APPROVED: _____ David Allan Smith City Attorney	ATTEST: _____ Shirley A. Gentry City Clerk	



SUMMARY STAFF RECOMMENDATION:

The Staff recommendation is to grant the Applicant's request to remove the Conditional Overlay that limits height for a building or structure to 20 feet.

BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)

1. The proposed zoning should be consistent with the purpose statement of the district sought.

The SF-6, townhouse and condominium residence district is intended as an area for moderate density single family, duplex, two-family, townhouse and condominium use. The applicant intends to develop the property with a condominium project consisting of two attached condominium units per structure.

2. Zoning changes should promote an orderly and compatible relationship among land uses.

The Staff is recommending the Applicant's request for the following reasons: 1) the maximum height allowed by the adjacent development reserve (DR) and all single family (SF-1 through SF-6) zoned properties is 35 feet; and 2) compatibility standards which limit placement and height of the townhouse /condominium use and its accessory structures will be applied to properties zoned or used for single family residential purposes.

EXISTING CONDITIONS**Site Characteristics**

The site is undeveloped. South Boggy Creek extends through the southern portion of the site. There are two active, underground pipelines that extend through this property and continue to the northwest: one is natural gas liquids and the other carries refined products (Longhorn). The Pipeline Ordinance applies to all new construction and establishes a 200-foot wide setback from a hazardous pipeline.

Impervious Cover

The maximum impervious cover allowed by the SF-6 zoning district would be 55%, which is a consistent figure between the zoning and watershed regulations.

Environmental

The site is not located over the Edwards Aquifer Recharge Zone. The site is in the Desired Development Zone. The site is in the South Boggy Creek and Williamson Creek Watersheds of the Colorado River Basin, which are classified as Suburban Watersheds by Chapter 25-8 of the City's Land Development Code. Under current watershed regulations, development or redevelopment on this site will be subject to the following impervious cover limits:

<i>Development Classification</i>	<i>% of Net Site Area</i>	<i>% with Transfers</i>
Single-Family (minimum lot size 5750 sq. ft.)	50%	60%
Other Single-Family or Duplex	55%	60%
Multifamily	60%	70%
Commercial	80%	90%

According to floodplain maps, there is a floodplain within the project boundary. Based upon the close proximity of floodplain, offsite drainage should be calculated to determine the exact location of the boundaries. No development is permitted in the Critical Water Quality Zone, while impervious cover is limited to 30% in the Water Quality Transition Zone.

Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.

Numerous trees will likely be impacted with a proposed development associated with this rezoning case. Please be aware that an approved rezoning status does not eliminate a proposed development's requirements to meet the intent of the tree ordinances. If further explanation or specificity is needed, please contact the City Arborist at 974-1876. At this time, site specific information is unavailable regarding other vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.

Under current watershed regulations, development or redevelopment on this site will be subject to the following water quality control requirements:

- Structural controls: Sedimentation and filtration basins with increased capture volume and 2 year detention.

At this time, no information has been provided as to whether this property has any pre-existing approvals that preempt current water quality or Code requirements.

Transportation

No additional right-of-way is required.

A traffic impact analysis was waived for this case because the applicant agreed to limit the intensity and uses for this development. If the zoning is granted, development should be limited through a conditional overlay to less than 2,000 vehicle trips per day. [LDC, 25-6-1(7)].

Water and Wastewater

The landowner intends to serve the site with City of Austin water and wastewater utilities. The landowner, at own expense, will be responsible for providing any water and wastewater utility improvements, offsite main extensions, utility relocations and or abandonments required by the land use. Water and wastewater utility plans must be reviewed and approved

by the Austin Water Utility for compliance with City criteria. All water and wastewater construction must be inspected by the City of Austin. The landowner must pay the City inspection fee with the utility construction. The landowner must pay the tap and impact fee once the landowner makes an application for a City of Austin water and wastewater utility tap permit.

Site Plan and Compatibility Standards

This tract is undeveloped. Any new construction on this site would be subject to compatibility development regulations due to the existing DR, SF-2-CO and SF-2 zoned properties to the north, south, east and west, and would be subject to the following requirements:

The site is subject to compatibility standards. Along the north, south, east and west property lines, the following standards apply:

- No structure may be built within 25 feet of the property line.
- No structure in excess of two stories or 30 feet in height may be constructed within 50 feet of the property line.
- No structure in excess of three stories or 40 feet in height may be constructed within 100 feet of the property line.
- No parking or driveways are allowed within 25 feet of the property line.
- In addition, a fence, berm, or dense vegetation must be provided to screen adjoining properties from views of parking, mechanical equipment, storage, and refuse collection.

Additional design regulations will be enforced at the time a site plan is submitted.

PUBLIC HEARING INFORMATION

This zoning/rezoning request will be reviewed and acted upon at two public hearings: before the Land Use Commission and the City Council. Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During its public hearing, the board or commission may postpone or continue an application's hearing to a later date, or may evaluate the City staff's recommendation and public input forwarding its own recommendation to the City Council. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

During its public hearing, the City Council may grant or deny a zoning request, or rezone the land to a less intensive zoning than requested but in no case will it grant a more intensive zoning.

However, in order to allow for mixed use development, the Council may add the MIXED USE (MU) COMBINING DISTRICT to certain commercial districts. The MU Combining District simply allows residential uses in addition to those uses already allowed in the seven commercial zoning districts. As a result, the MU Combining District allows the combination of office, retail, commercial, and residential uses within a single development.

For additional information on the City of Austin's land development process, visit our website:

www.ci.austin.tx.us/development

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before or at a public hearing. Your comments should include the board or commission's name, the scheduled date of the public hearing, and the Case Number and the contact person listed on the notice.

Case Number: C14-2012-0042

Contact: Wendy Rhoades, 512-974-7719

Public Hearing: June 5, 2012, Zoning and Platting Commission

August 2, 2012, City Council

Your Name (please print)

7412 Albert Rd 78745

Your address(es) affected by this application

Roy Smith

Signature

Date

Daytime Telephone: 512-444-2100

Comments:

Albert Rd is too narrow for high volume traffic. Albert Rd would inevitably be used to access this project. Albert Rd is not safe for any volume of traffic. The road is not even striped. The road is so narrow that the mail boxes & trash dumpsters are like obstacles to go around. Two cars can barely pass.

If you use this form to comment, it may be returned to:

City of Austin

Planning & Development Review Department

Wendy Rhoades

P. O. Box 1088

Austin, TX 78767-8810

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